

SEP 16 2021

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK  
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA ) Case No. 7:21CR31  
)  
v. ) SEALED INDICTMENT  
)  
JOSHUA DELK ) In violation of:  
) Title 18 U.S.C. §§ 922(a)(6), 924(a)(2)  
)

COUNT ONE

The Grand Jury charges that:

1. On or about August 27, 2019, in the Western District of Virginia, the defendant, **JOSHUA DELK**, in connection with the acquisition of three firearms, a Taurus, model G2S, 9mm pistol; a Hi Point, 380ACP, .380 caliber pistol; and a Hi Point, model C9, 9mm pistol, from Sportsman's Warehouse, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Sportsman's Warehouse, which statement was intended and likely to deceive Sportsman's Warehouse, as to a fact material to the lawfulness of such sale of the said firearm to the defendant under Chapter 44 of Title 18, United States Code, in that the defendant did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that defendant **JOSHUA DELK** was the actual buyer of the firearm, when in fact the defendant knew he was not the actual buyer of the firearm.

2. All in violation of Title 18, United States Code, Section 922(a)(6) and 924(a)(2).

### **NOTICE OF FORFEITURE**

1. Upon conviction of one or more of the felony offenses alleged in this Indictment, the defendant shall forfeit to the United States:

any firearms and ammunition involved or used in the commission of said offenses, or possessed in violation thereof, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

2. The property to be forfeited to the United States includes but is not limited to the following property:

a. **Firearm(s) and Ammunition or other assets**

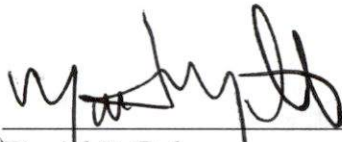
1. Taurus, model G2S, 9mm pistol, SN: TMA 11935
2. Hi Point, 380ACP, .380 caliber pistol, SN: P8166148
3. Hi Point, model C9, 9mm pistol, SN P10053589
4. All ammunition, magazines, and accessories associated with these firearms.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).

A **TRUE BILL**, this 16 day of September, 2021.

  
for Daniel P. Bubar  
Acting United States Attorney

/S/ FOREPERSON  
FOREPERSON